

Remarks/Arguments

Claims 1-8 are pending.

Claims 1-8 are rejected.

Applicant has amended Claims 1-8 to fix the grammar of the claims and for clarity purposes. No new matter is entered in view of these amendments.

A. Rejection of claims 1-8 under 35 U.S.C.102 (e).

Claims 1-8 are rejected under 35 U.S.C.102(e) as being anticipated by Schlack et al. (US patent 7,260,823, hereafter referred to as 'Schlack').

The Applicant's invention provides a device for the automatic creation of summaries of multimedia documents based on user's viewing of such multimedia document. The device comprises a means for weighting documents according to the frequency with which the different stored documents are viewed by a user and a means for creating a summary of the documents according to the weight assigned to each multimedia document. Hence, the invention can create video digests automatically.

Schlack, in contrast, discloses a device for profiling television viewers, as well. As mentioned in the abstract of Schlack, such viewer identification and profile generation can be used to facilitate the delivery of targeted content, including targeted advertising. However, Schlack neither discloses nor suggests the Applicant's invention which automatically creates a digest of the multimedia documents stored on a storage device.

In the rejection, the Examiner refers to Figure 16 and col. 19 lines 4-16 when referring to the means for creating a video summary of the documents according to a weight assigned to each multimedia document. The Examiner is incorrect that Figure 16 discloses this claimed element because the figure

lists different categories into which the program are classified, here 5 program categories. Figure 16 actually shows the total time spent viewing each program type and the percentage compared to other categories, but this is not a digest. Schlack, only shows a user profile.

That is, Figure 16 of Schlack only shows a listing of a user's preferences. This listing of a user's preferences is not the same as the creation of a summary of multimedia documents stored on the device of Claim 1 or 8.

Additionally, if one were to consider the claimed "means of creating a summary of the multimedia documents creates a summary according to the weighting assigned to each scene in said multimedia documents" is neither disclosed or suggested in the cited art of record. That is, the user profile of Schlack does not perform its function on a scene by scene analysis to generate a summary as claimed in the present invention.

Therefore, the Applicant submits that for at least the reasons recited above independent Claim 1 is not anticipated by the teachings of Schlack, as such, fully satisfies the requirements of 35 U.S.C. § 102 and is patentable there under. For the same reason dependant claim 8 is also patentable.

Furthermore, dependent Claims 2-7 depend directly or indirectly from independent Claim 1 and recite additional features therefore. As such and for at least the reasons set forth herein, the Applicant submits that dependant Claims 2-7 are also not anticipated by the teachings of Schlack.

Therefore the Applicant submits that dependent Claims 2-7 also fully satisfy the requirements of 35 U.S.C. § 102 and are patentable thereunder.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding remarks/arguments, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are

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respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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